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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Yount

Serial No.: 09/950,033

Group Art Unit: 1746

Filed: 09/10/2001

Examiner: Z. El Arini

For: PROCESS FOR REMOVING A RESINOUS COATING
FROM FIBROUS PRODUCTS

Attorney Docket No.: 25110A

DECLARATION UNDER 37 C.F.R. 1.131

Box Non-Fee Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

- 1) I, John W. Yount, residing at 5101 Stagecoach Road, Oxford NC 27565, declare as follows:
- 2) I am a citizen of the United States of America.
- 3) I am an inventor of the subject matter disclosed and claimed in the U.S. Patent Application identified above and I am informed of the prosecution history of this application.
- 4) I understand that claims 1-25 stand rejected under 35 USC 103(a) as being unpatentable over Mulligan et al (6,454,873) in combination with Yount (4,300,955) and Dong (6,251,224).
- 5) I understand that the Mulligan et al patent (6,454,873)), claims priority to a provisional application, Serial No. 60/133,597, filed May 11, 1999.
- 6) The invention claimed in the present application was conceived by me prior to

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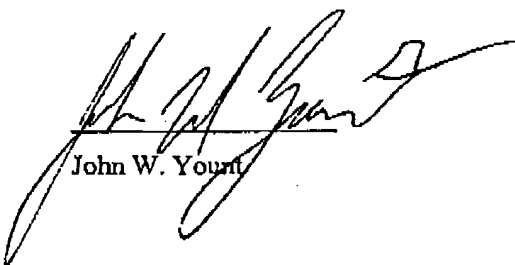
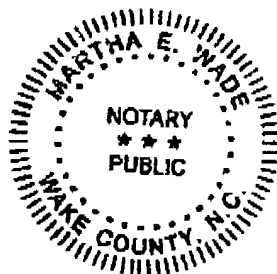
May 11, 1999, as evidenced on the attached facsimile dated Apr. '99 addressed to "Mike" at Owens Corning, and I was diligent from the conception through reduction to practice for the instant invention.

- 7) Prior to May 11, 1999, I had discussed my conceived invention with Messrs. Mulligan and Poy of Regenex in confidence, and I had requested Regenex to perform an experimental trial on my behalf using a process as disclosed in my application (and in the attached facsimile). Prior to May 11, 1999, I had discussed my conceived invention in detail in confidence with Chris Kulakowski, whom I understood to be an engineer with Regenex.
- 8) Specifically, I had requested Regenex to perform an experimental trial for me, using a Regenex (Milnor) tunnel washing machine, to verify that such a machine would adequately clean resin from glass fibers using my conceived process. In order to facilitate this experimental trial, I disclosed my proposed process in detail and in confidence to Regenex. As shown in the facsimile, the experimental trial was conducted by Regenex on a paid basis, with the expense of their facility, materials, transportation, chemicals, and any additional, incidental costs to be borne by Owens Corning and me.
- 9) For this experiment, as shown in part in the facsimile, I instructed Regenex to place resin-coated fibers (in mat form and in strand form) into the tunnel washing machine, and use an acid bath solution within the machine to remove the resin from the fibers. I had selected the acid solution as a function of the resin. I requested that the process include heating the acid bath solution to about 200 degrees F, and exposing the resin-coated fibers to the solution for a period of time sufficient to remove the resin. I requested that the acid then be withdrawn from the fibers and the fibers be rinsed with water to remove the solution from the fibers. I requested the fibers then to be removed from the machine and the water extracted from the fibers (extracted optionally before or after removal). I had also requested to recycle the acid and water and remove any chemicals for experimentation for use in other applications. I had also indicated that the cleaned glass would then be experimentally trialed in making a wet chop mat.

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Further, I hereby declare that all statements made herein of my own knowledge are true, and that statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application and any patent issued thereon.

Date:

May 27, 2004
John W. Yount

STATE OF NORTH CAROLINA
COUNTY OF WAKE) ss

On this 24 day of May, 2004 before me, the undersigned Notary Public, appeared John W. Yount to me known to be the person named, who signed the foregoing instrument in my presence and acknowledged the same to be his free act and deed.

Martha E. Wade
Notary Public

My Commission expires 7-7-2007

Apr 99 16:30

J.W. YOUNT CORPORATION

J. W. Yount Corporation5101 Stagecoach Road
Oxford, NC 27565-8673Phone 919-693-4839
Fax 919-693-8043

Dear Mike,

Here is a bit of information that has been put together regarding the trials on the twelfth of May. The objective is to demonstrate the successful application of the Regenex CBFRS in the recovery of fiberglass from the provided resin base materials. The process itself uses a concentrated solution of Phosphoric Acid, feed the CBFRS at a rate so that a chemical solution of 10% phosphoric acid and water is maintained at 200 degrees F while processing fiberglass containing material. Material will be fed into the CBFRS at a rate of 100 lb. each 30 seconds. The system will utilize the 7 module pilot CBFRS unit with the following initial configuration. Modules 1-3 chemical processing, module 4 drain and collect reacted solution, modules 5-7 wash and neutralize fiberglass.

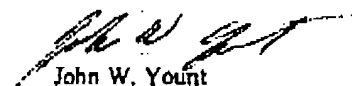
As material is transferred from module 1 to 3 it will begin its reaction with the dilute phosphoric acid solution. The chemical charge of phosphoric acid will be established in module 3 and will counterflow from module 3 to 1. Any un-reacted material in module 1 will be treated in module 2. Module 3 will be utilized to establish counterflow and process chemistry balance.

After the material has been chemically treated in modules 1-3, the recovered fiberglass will be transferred to module 4 section where the residual chemical solution can be drained and collected. The material will be finally transferred to modules 5-7 where washing, modules 5-6, and final draining, module 7 will take place. The wash water in the final section will be used as the make up water in module 3. The recovered fiberglass discharging from module 7 will be collected in drums.

Our contact at Regenex has also told us that a company rate is available at the Radisson on Veterans Blvd. Contact us if you are interested in making reservations there and we can get the number for your folks. The pilot plant fee is \$2,500 per day and if a machine is purchased from Regenex within 30 days after the trial, then this money will directly go down as a downpayment on the machine. We are also responsible for the cost of materials and their transportation, as well as containers, to and from Regenex. We are also responsible for providing any chemicals used in the process as well as MSDS sheets on them. We have already sent Regenex the MSDS sheet on the phosphoric acid. There is also the cost of special handling requirements for the chemicals or residuals that is also our responsibility. If there is any testing that needs to be done, we must also take care of any additional costs that this would entail.

We look forward to conducting these trials and meeting with you and the others. We hope that this letter will better enable you to describe what is going to occur, to those going, on the trip. Thanks so much for all your interest and feel free to contact us if you have any comments or questions.

Sincerely,


John W. Yount